

# Order

Michigan Supreme Court  
Lansing, Michigan

October 7, 2005

Clifford W. Taylor,  
Chief Justice

127834

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

MICHIGAN TOOLING ASSOCIATION  
WORKERS COMPENSATION FUND, as  
Subrogee of DISTEL TOOL & MACHINE  
COMPANY,

Plaintiff-Appellee,

v

SC: 127834  
COA: 249013  
Oakland CC: 2001-030684-CK

FARMINGTON INSURANCE AGENCY, LLC,  
Defendant/Third-Party Plaintiff-  
Appellant,

and

MACHINERY MAINTENANCE SPECIALISTS,  
INC.,  
Defendant,

and

EMPLOYERS INSURANCE OF WAUSAU and  
WAUSAU INSURANCE COMPANIES,  
Third-Party Defendants-Appellees.

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On order of the Court, the application for leave to appeal the December 7, 2004 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), we direct the Clerk to schedule oral argument on whether to grant the application or take other peremptory action permitted by MCR 7.302(G)(1). The parties shall include among the issues to be addressed at oral argument whether Farmington Insurance Agency owed a duty to Distel in relation to the certificate of insurance, where Farmington Insurance Agency did not send the certificate of insurance to Distel and otherwise had no contact with Distel. The parties may file supplemental briefs within 28 days of the date of this order, but they should avoid submitting mere restatement of arguments in application papers.



p1003

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 7, 2005

*Corbin R. Davis*

Clerk